

PLANNING COMMISSION MINUTES

January 17, 2007

7:30 PM

Jamestown Library

The meeting was called to order at 7:35 p.m. and the following members were present:

Gary Girard Betty Hubbard
Jean Brown Barry Holland
Michael White

Not present:

Victor Calabretta
Richard Ventrone

Also present:

Lisa Bryer, AICP – Town Planner
Cynthia Reppe – Recording Clerk
A. Lauriston Parks – Solicitor
Quentin Anthony – Attorney
Bruce McIntyre – Attorney
Gail Sheahan
Raymond Bazzano – Preston Corp.
Robert Ornstein – Architect - Arris Designs
Jeremy Thomas
R. Peltier

I. Approval of Minutes December 20, 2006

A motion was made by Commissioner Hubbard and seconded by Commissioner White to accept the minutes as written. So unanimously voted.

II. Correspondence

1. FYI – Zoning Board of Review Agenda - Received
2. FYI – Land Use 2025 RI State Policies and Plan - Received

III. Citizen's Non Agenda Item – nothing at this time

IV. Reports

1. Town Planner's Report
2. Chairpersons report
3. Town Committees
 - a. Harbor
 - b. Fort Getty –Tomorrow here at 1:00

- c. Buildings and Facilities – tours for comprehensive inventory being started
 - d. Others – Tree new members starting a lot of new things for the year
4. Sub Committees

V. Old Business

1. Peltier Residence – Plat 15 Lot 52 - Zoning Ordinance Section 314 Sub District A Review, High Ground Water Table-Impervious Overlay District - New Dwelling Hull St. – Recommendation to Zoning Board – continued

Mr. Peltier and Jeremy Thomas went through the changes with the board, they redesigned the finish grade and eliminated the crawl space and are doing a slab now. Commissioner Girard asked where the mechanicals would be placed. Mr. Thomas said he would like to take some time to think more about this issue. The Chair would like some other drawings to be submitted showing where the mechanicals will be placed. Mr. Thomas had originally told Town Planner Lisa Bryer that it would not be a problem putting the mechanicals on the main floor but after thinking about it he thought a crawl space above the water table or doing a small change to the footprint of the main house. Commissioner Hubbard suggested going back to the designer for the placement of the mechanicals. Solicitor Parks suggested that the placement of the mechanicals meets the fire code also. They will come back in the future with plans showing the changes. Commissioner Holland said the A1A site plan was not readable at this scale. Mr. Thomas showed him a bigger plan showing him the contour line change.

2. Norton Reamer - 2 lot subdivision with street extension –Plat 12 - Lot 29,Hull Cove Farm Rd.

Attorney Quentin Anthony clarified some of the safety concerns that the town Mike Gray, Town Engineer had. Mr. Gray accepted the plan. A bond amount has been set with the applicant's engineer and is satisfactory to Mr. Gray and Mr. Reamer. All abutters have reached an agreement now and Mr. Smith and Mr. Anthony will give these changes to Ms. Lisa Bryer tomorrow. A maintenance agreement has been reached and it will be updated and submitted to Ms. Bryers office tomorrow. Mr. William Smith and Dr. Page, neighbors of Mr. Reamer have worked hard on the maintenance agreement and Mr. Reamer has agreed that potentially only 2 more lots/houses will be created utilizing Hull Cove Farm Road. Mr. Smith said he thinks they can approve it tonight subject to the maintenance agreement after Mr. Parks approves it. Mr. Parks stated that the issues being negotiated do not have anything to do with the town and it is between the property owners. Commissioner Girard asked how many homeowners are involved in the agreement; 6. Commissioner Holland stated that they have been going back and forth with the maintenance agreement for several weeks now and have just earlier this evening come to an agreement. Ms. Bryer would like the Commission to look over the draft motion before they vote on it; they will take a 5 minute break to read through this right now. The fee will be determined when the final plan is submitted. If they vote for this tonight then the final approval will be done administratively. The bond/escrow amount acceptable to the town engineer can be added as item 11 to the conditions of approval for a bond to guarantee the construction and completion of improvements per the agreement with Norton Reamer. Commissioner Holland made a motion to approve this subdivision as stated in the Town Planners Memo with the addition of Condition number 11 seconded by Commissioner White.

To Grant Preliminary Plan approval in accordance with the Town of Jamestown Subdivision Regulations, RIGL 45-23-37 and the plans entitled "**Preliminary Minor Subdivision Assessors Plat 12 Lot 29; Prepared for NORTON REAMER, Situated in the Town of Jamestown, Rhode Island**"; prepared by **Dowdell Engineering, Inc., P.O. Box 1648, 3949 Old Post Road, Charlestown, Rhode Island (401) 364-1027**; dated revised 1/12/07 based on the following Findings of Fact and subject to the following Conditions of Approval:

A. Findings of Fact

The Board makes the following findings:

1. The subdivision is consistent with the requirements of the Jamestown Comprehensive Plan and/or shall satisfactorily address the issues where there may be inconsistencies;
2. Each lot in the subdivision conforms to the standards and provisions of the Jamestown Zoning Ordinance;
3. No building lot is designed and located in such a manner as to require relief from Article 3, Section 308 of the Zoning Ordinance as long as the proposed system is located within 150 feet from the edge of any wetland;
4. There will be no significant negative environmental impacts from the proposed development as shown on the plans, with all required conditions for approval;
5. The subdivision as proposed will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and buildings standards would be impracticable;
6. All subdivision lots have adequate and permanent physical access to a public street, namely, Beavertail Road. Lot frontage on a public street without physical access shall not be considered compliant with this requirement;
7. The subdivision provides for safe circulation of pedestrian and vehicular traffic with the proposed road improvements, for adequate surface water runoff, for suitable building sites and for preservation of natural, historical, or cultural features that contribute to the attractiveness of the community;
8. The design and location of streets, building lots, utilities, drainage improvements, and other improvements in the subdivision minimize flooding and soil erosion;
9. All lots in the subdivision have access to sufficient potable water for the intended use as long as condition # is completed. Both lots will be served by private wells.

D. Conditions of Approval

1. The approval is for a total of 2 lots;
2. That payment of a fee in-lieu-of land dedication shall be required for this subdivision in the amount required by Article IIID of the Jamestown Subdivision Regulations. This fee shall be determined at the time of filing of the final plat and paid prior to recording of the final plan.
3. Granite monuments shall be placed at all corner points at the new property line;
4. Any additional new lots which utilize Hull Cove Farm Road shall require appropriate upgrade of the roadway with respect to width, base and surface treatment to be approved by the Planning Commission in the subdivision approval process;
5. Any further subdivision of AP 12 Lot 29 will be considered a subdivision of 3 or more lots;
6. The Coastal Resource Management Council shall be notified if any clearing of vegetation or disturbance is to occur within the jurisdictional limit of the CRMC;

7. Prior to Final Approval, the applicant must provide a legal document, acceptable to the Town Solicitor, for the ownership and maintenance of Hull Cove Farm Road;
8. The Planning Commission delegates Final Review to the Town Planner with the signature of the Planning Chair to appear on the Final Record Plan;
9. This approval shall be recorded with the Town Clerk contemporaneously with the Final Plat; and,
10. This approval shall expire one year from the date of approval by the Planning Commission unless recorded within that time.
11. The Planning Commission hereby approves a bond/escrows, in an amount acceptable to the Town Engineer that shall be posted prior to recording of the plat to guarantee construction of improvements.

So voted:

Gary Girard – Aye

Betty Hubbard – Aye

Jean Brown - Aye

Barry Holland - Aye

Michael White - Aye

Motion carries by a vote of 5-0

VI. New Business

1. Development Plan Review - Proposal for new adult day care structure with apartment on upper floor and rebuild existing dwelling for office at 49 North Main Road, Applicant - Sheahan's Way, LLC.

Gail Sheahan has purchased the building at 49 North Rd. with more space than the previous lot she was before the Planning Commission with a proposal on. The house will be replaced with the same footprint and design that is very similar to the original house that is there now. In addition, there will be a second two story building housing the day care center and an apartment on the second floor. Ms. Sheahan showed the commission the plans for the house and day care and they have received approval for water but are also discussing putting in a well so they will be able to use water during the months of water restrictions in the town to keep the grounds looking nice. She feels a well is better than putting in cisterns.

The Planning Commission should be concerned with the site, façade, parking, circulation and the Planning Commission should be concerned with the interior from the perspective of parking calculations, external circulation and façade and similar items where the interior may effect the exterior or site workings. The Planning Commission will be approving the Development Plan. Both of the buildings are modular and then they will be trimmed out.

They received a unanimous approval last night from the Water and Sewer Board. Lisa Bryer met briefly with Architect Ron DiMauro and he did not have an issue with the building other than the orientation of it. They did not have the elevations for the front building at that time.

Commissioner Hubbard stated that she was happy that URI has volunteered their time to help with the landscape design and plantings. There will be a rock garden with a waterfall and Ms. Sheahan explained that she has to have a fence around it because of safety issues; Commissioner Hubbard would prefer a see-through fence. A discussion ensued regarding the landscaping and some of the Planning Commissioners made suggestions. The applicant stated that the existing trees that are there will for the most part remain there. The Planning Commission is very happy with the piece of property that the applicant has now, compared to the previous application.

Commissioner Holland asked about the residence unit, have they considered making it an affordable unit. Ms. Sheahan stated that they could definitely look into it but that it has to be

subsidized some how. They are open to considering this too. Commissioner Hubbard asked for a run down of materials; it will be a light tan vinyl siding that looks like shingles, the doors will be blue. The Lighting will be carriage down shielded lighting. The sign might be a little smaller than what was shown. The Planning Commission is permitting and if they approve the application the applicant goes before zoning for a special use permit for mixed use. Commissioner Hubbard is concerned about the finish product she does not want it to look like a tract house and wants it to fit the character of Jamestown. Commissioner Brown would like advice from the planner and solicitor to move this along. The Planning Commission should say they will approve the development plan subject to approval from the zoning board. Commissioner Holland made a motion that was seconded by Commissioner Brown to approve the development plan subject to the zoning board relief approval that is required. So voted:

Gary Girard – Aye
Jean Brown - Aye
Michael White – Aye

Betty Hubbard – Aye
Barry Holland - Aye

Motion carries by a vote of 5-0

2. Development Plan Review – Pre application Review of redevelopment of 24 Narragansett Avenue to 6 residential units and one retail unit

Commissioner Girard said this is a pre application review and the town's first affordable housing comprehensive permit for review. At this point there is no application, since it is a pre application conference and the purpose of this review is for the applicant to get a general idea of what the Planning Commission is looking for and then they can decide if they want to incorporate it into their plan. They can all discuss it and the board can put their thoughts into it and then they can come back to just the Planning Commission since they are the permitting authority for these applications on all approvals and variances. This is a huge responsibility. They may also ask for advice from the other committees.

Attorney Bruce McIntyre wants to make a brief statement. They have purchased 24 Narragansett Ave and they want to use this building for both 10 Narragansett and 24 for affordable housing. The initial review from RIHMFC was very favorable. This would be a 7 unit building with 4 affordable residential units, 2 at market rate residential units and 1 commercial space. They have 6 parking spaces on site and one on the street. Robert Ornstein the architect from Arris Designs gave a synopsis of what the units will look like. The total height of the building is 32.8 feet with 5 inch vinyl shingles instead of 7 inch which is what the commission would rather see if it will not be wood.

Commissioner Hubbard asked what the relationship is between the Oyster Bar lot and 24 Narragansett Ave. Roy Dutra owned both and made an agreement that they both get to share the driveway. This was written in 1947 and the deeds continue to move forward subject to the restrictions that are written in the deeds. The Bomes Theatre Mall was granted an easement of the driveway to access the parking, when they received their variance. Mr. Bazanno contends that Roy Dutra deeded something he did not own. They have hired a title company to do some research on this and they will get a final decision. At this point the discussion has been the viability that he did not have a right to transfer interest on something he did not own. The

Planning Commission is interested in the parking deficiencies of the building. Commissioner Holland asked if the right is for the driveway access or is it for the back of the building too. The applicant does not want to accept state or federal subsidies and therefore they will be keep control of the affordability issue.

They will be getting application to The Planning Department in the next 30 days.

Commissioner Holland asked about parking, they will be looking for a variance for 5 parking spaces. They are required to have 12 spaces so are they looking for a variance for 5?

Commissioner White said it would be nice if one of them were handicap accessible.

Commissioner Girard thinks the building is out of scale. He thinks it should be smaller with 1 less apartment. Mr. Bazzano thinks eliminating 1 unit will not matter and not make the parking worse. He thinks the building does fit in. Commissioner Brown really wants to see this go in downtown for affordable housing. The intention is to make this as physically acceptable as possible. Commissioner Hubbard is very excited about this project and likes the design, although she is not totally keen on the slider doors on the front of the building facing the street. The water issue is a big issue with the Water and Sewer Department. Mr. Bazzano stated he has presented real numbers.

Lisa Bryer has met with Ron DiMauro preliminarily; Ron and John are specifically looking at the street façade. They have the same concerns that Commissioner Hubbard has for the 2nd floor slider doors as well. When the full application comes in, Mr. Bazzano would like to get DiMauro Architects input at his expense.

Mr. Bazzano will submit an application in the near future.

3. FY 2007-2008 Planning Budget – Planning Commission Review

This issue will be presented at the next meeting.

Commissioner White made a motion to adjourn at 10:00 p.m. which was seconded by Commissioner Holland. So unanimously voted.

Attest:

Cynthia Reppe

This meeting was recorded on 1 micro-cassette